**UNITED STATES DISTRICT COURT**
**FOR THE EASTERN DISTRICT OF TEXAS**
**MARSHALL DIVISION**

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| NETLIST, INC., | ) | |
| | ) | |
| Plaintiff, | ) | |
| | ) | Case No. 2:22-cv-293-JRG |
| vs. | ) | |
| | ) | JURY TRIAL DEMANDED |
| SAMSUNG ELECTRONICS CO, LTD; | ) | (Lead Case) |
| SAMSUNG ELECTRONICS AMERICA, | ) | |
| INC.; SAMSUNG SEMICONDUCTOR | ) | |
| INC., | ) | |
| | ) | |
| Defendants. | ) | |

| | | |
|---|---|---|
| NETLIST, INC., | ) | |
| | ) | |
| Plaintiff, | ) | |
| | ) | |
| vs. | ) | Case No. 2:22-cv-294-JRG |
| | ) | |
| MICRON TECHNOLOGY, INC.; | ) | JURY TRIAL DEMANDED |
| MICRON SEMICONDUCTOR | ) | |
| PRODUCTS, INC.; MICRON | ) | |
| TECHNOLOGY TEXAS LLC, | ) | |
| | ) | |
| Defendants. | ) | |

**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF**
**NETLIST INC.'S OPENING CLAIM CONSTRUCTION BRIEF**

**I, Jason G. Sheasby, declare as follows**:

1.      I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. ("Netlist") in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist's Opening Claim Construction Brief. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2.      Attached as **Exhibit 1** is a true and correct copy of U.S. Patent No. 7,619,912.

3.      Attached as **Exhibit 2** is a true and correct copy of U.S. Patent No. 9,858,215.

4.      Attached as **Exhibit 3** is a true and correct copy of U.S. Patent No. 11,093,417.

5.      Attached as **Exhibit 4** is a true and correct copy of the transcript of the deposition, Harold Stone, Ph.D.

6.      Attached as **Exhibit 5** is a true and correct copy of the Declaration of Harold S. Stone, Ph.D., in Support of Micron's Claim Construction Positions.

7.      Attached as **Exhibit 6** is a true and correct copy of the Claim Construction Order from *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, Case No. 2:21-CV-00463-JRG, Dkt. 114 (Dec. 14, 2022).

8.      Attached **as Exhibit 7** is a true and correct copy of the Double Data Rate (DDR) SDRAM Specification.

9.      Attached as **Exhibit 8** a true and correct copy of the DDR2 SDRAM Specification.

10.      Attached as **Exhibit 9** is a true and correct copy of the JEDEC Standard No. 21-C, DDR SDRAM Registered DIMM Design Specification.

11.      Attached as **Exhibit 10** is a true and correct excerpted copy of the file history for *Inter Partes* Reexamination No. 95/000,578.

12.      Attached as **Exhibit 11** is a true and correct excerpted copy of decisions by the PTAB in *Inter Partes* Reexamination Nos. 95/000,578; 95/000,579; and 95/001,339.

13.      Attached as **Exhibit 12** is a true and correct copy of a document titled "What is a Memory Rank."

14.      Attached as **Exhibit 13** is a true and correct copy of a document titled "FAQs."

15.      Attached as **Exhibit 14** is a true and correct excerpted copy of the Petition for *Inter Partes* Review of U.S. Patent 10,217,523 in IPR2022-00063.

16.      Attached as **Exhibit 15** is a true and correct excerpted copy of JEDEC Committee Letter Ballot Item #2129.04.

17.      Attached as **Exhibit 16** is a true and correct excerpted copy of the transcript of the deposition of SungJoo Park, from *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, Case No. 2:21-CV-00463-JRG.

18.      Attached as **Exhibit 17** is a true and correct copy of the Institution Decision in IPR2022-00615.

19.      Attached as **Exhibit 18** is a true and correct excerpted copy of *Memory Systems: Cache, DRAM, Disk*, by Bruce Jacob, Spencer W. Ng, and David T. Wang.

20.      Attached as **Exhibit 19** is a true and correct copy of the JEDEC Standard No. 21-C, PC3200/PC2700/PC2100/PC1600 DDR SDRAM Unbuffered SO-DIMM Specification.

21.      Attached as **Exhibit 20** is a true and correct excerpted copy of A Dictionary of Computing.

22.      Attached as **Exhibit 21** is a true and correct copy of the Joint Claim Construction and Prehearing Statement in *Netlist, Inc., v. Google Inc.*, Case No. CV-09-05718 SBA.

23.      Attached as **Exhibit 22** is a true and correct excerpted and highlighted copy of the deposition of Andrew Wolfe, Ph.D., in IPR2022-00615.

24.      Attached as **Exhibit 23** is a true and correct highlighted copy of the deposition

transcript of Harold Stone, Ph.D., in *Netlist, Inc., v. Micron Technology, Inc.*, Case No. 2:22-CV-203-JRG-RSP.

25.    Attached as **Exhibit 24** is a true and correct copy of U.S. Patent No. 7,881,150.

26.    Attached as **Exhibit 25** is a true and correct copy of U.S. Patent No. 8,081,536.

27.    Attached as **Exhibit 26** is a true and correct of copy of Exhibit 12 to the August 18, 2023 deposition of Harold Stone, Ph.D.

28.    Attached as **Exhibit 27** is a true and correct copy of Micron's petition for *Inter Partes* Review of U.S. Patent No. 9,858,215 in IPR2023-01142.

29.    Attached as **Exhibit 28** is a true and correct copy of U.S. Patent 9,037,774.

30.    Attached as **Exhibit 29** is a true and correct excerpted copy of the Chambers Dictionary of Science and Technology.

31.    Attached as **Exhibit 30** is a true and correct excerpted copy of the Comprehensive Dictionary of Electrical Engineering.

32.    Attached as **Exhibit 31** is a true and correct excerpted and highlighted copy of the deposition of Andrew Wolfe, Ph.D., in IPR2022-01427/IPR2022-01428.

33.    Attached as **Exhibit 32** is a true and correct copy of U.S. Patent No. 10,268,608.


I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 24, 2023, in Los Angeles, California.

By /s/ *Jason G. Sheasby*
Jason G. Sheasby